



DEPARTMENT OF THE ARMY
HEADQUARTERS BRIGADE
UNITED STATES ARMY NORTH ATLANTIC TREATY ORGANIZATION
Unit 21420
APO AE 09705-1420

REPLY TO
ATTENTION OF

ACLOG-ENG

6 September 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army North Atlantic Treaty (USANATO) Brigade Policy Letter #37,
Conduct of Financial Liability Investigations of Property Loss (FLIOPL)

1. **Purpose:** To establish policy for re-establishing property accountability through FLIOPL in the USANATO Brigade.
2. **Applicability:** This policy applies to all subordinate battalions assigned or attached to the Brigade and the Brigade HHC.
3. **Objectives of FLIOPL:**
 - a. To re-establish property accountability for government property assigned to, leased to, or used by USANATO Brigade.
 - b. To establish, investigate, and assign responsibility for the loss of accountability or damage of government property.
 - c. When applicable situations and negligence exist, assign pecuniary responsibility for damaged or lost property.
4. **Concept:** The Commander, USANATO Brigade will serve as the approving authority for FLIOPLs initiated within the Brigade. Battalion Commanders will serve as appointing authority for investigating officers. The Chief of Staff USANATO will serve as the appointing authority for FLIOPL in HHC Brigade.
 - a. Unit commanders will adhere to the timelines established in AR 735-5, DA PAM 735-5, and Policy Letter #37 for the discovery of property loss and the initiation of a FLIOPL.
 - b. USANATO Brigade G-4 Property Book Office (PBO) will track progress of FLIOPL impacting Soldiers, civilians, and missions within the Brigade and report status at least weekly to the Brigade Commander.

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c. Commander's Critical Intelligence Requirements for the Brigade Commander concerning FLIOPL are:

- (1) Any FLIOPL currently in excess of established timelines.
- (2) Any FLIOPL where circumstances exist that will likely prevent the survey from being completed within established timelines.
- (3) Any FLIOPL where the investigating officers suspect gross/criminal negligence, forcing a safeguard, or willful misconduct.
- (4) Any FLIOPL involving a sensitive item.

5. **FLIOPL Program Description:**

- a. Upon discovery of loss, commanders will initiate sufficient searches and inquiries to locate lost property and re-establish accountability. If accountability cannot be re-established, the appropriate DD Form 200 will be prepared and forwarded to the Brigade Headquarters within two working days of discovering the property loss.
- b. Accompanying the DD Form 200 will be an appointment memo from the battalion level unit owning the property with the investigating officer nominated by name.
- c. The unit commander or designated representative will read the appointment order to the surveying officer to begin the loss investigation.
- d. After the investigation is completed, the investigating officer will forward the FLIOPL, exhibits and findings to the Approving Authority: ATTN: G-4 PBO. The G-4 PBO will prepare the packet for the Approving Authority determination and signature.

6. **FLIOPL Timelines** (Ref AR 735-5 and USANATO Policy Letter #37)

- a. The following set general guidelines for actions up to notification of pecuniary liability:
 - (1) Day 0: Discovery of Loss.
 - (2) Day 1-2: DD Form 200 prepared by unit S-4.
 - (3) Day 3-5: Investigating Officer appointment.
 - (4) Day 6-25: FLIOPL Investigation.
 - (5) Day 26: Forwarding of investigating officer findings to Approving Authority.

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(6) Day 26-29: Approving Authority actions.

(7) Day 30: Notification to individual(s) held liable.

b. Additional actions are possible on appeal of liability determination, overseas notification, etc. The numbers of days allowed for each specific action are outlined in AR 735-5, Chapter 13, paragraph 13-6a.

7. **Investigating Officers:** Investigating Officers appointed to conduct FLIOPL within USANATO Brigade or its subordinate units will be at a minimum in the grade of Sergeant First Class or above, a DA Civilian in the grade of GS-12 or above, or a warrant/commissioned officer. In all cases, the investigating officer will be senior in grade to the individual(s) potentially to be assessed pecuniary liability.

8. **Responsibilities:** Responsibilities for personnel associated with the FLIOPL process are outlined in AR 735-5, DA PAM 735-5 and this Policy Letter #37.

a. Commanders:

(1) Commanding officers will ensure that the Investigating Officer receives a FLIOPL briefing outlining responsibilities outlined in DA PAM 735-5. This briefing will be given by the unit S-4 in conjunction with notification of duties as an Investigating Officer.

(2) Commanding officers will ensure that the Investigating Officer's primary duty is the conduct of the investigation, preparation of findings, and presentation of recommendations for the FLIOPL. At no time should an investigating officer be assigned duties that conflict with or otherwise hinder the investigating officer in expeditious completion of their duties.

b. G-4 USANATO Brigade PBO:

(1) Responsible for the effective implementation and oversight of procedures to re-establish accountability for loss or damage of government property within USANATO Brigade.

(2) Maintains roster of FLIOPLs underway. Briefs the Brigade Commander weekly on current surveys and their status.

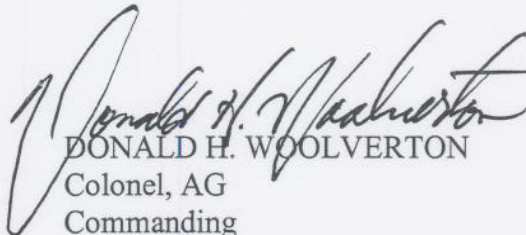
(3) Advises the Commander on status of CCIRs dealing with FLIOPL.

(4) Assists the subordinate unit S-4s in implementing programs and materials to assist investigating officers.

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9. **Conclusion:** The goal for all leaders in the USANATO Brigade is to be efficient stewards of government property entrusted to their care and use. Property is to be safeguarded and periodically inventoried to maintain accountability. Loss of accountability once determined requires an immediate, vigorous, thorough, and fair investigation to re-establish accountability. I expect the utmost support and commitment to this program to ensure it moves quickly and fairly for all concerned.



DONALD H. WOOLVERTON
Colonel, AG
Commanding

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FLIOPL IN BENELUX (as of 6 Sept 06)

	Appointing Authority	Approving Authority	Appeal Authority
USAG-Chievres	DOL USAG Benelux	USAG Benelux DCO	CDR, USAG-B (COL Nowowiejski)
USAG-Brussels	DOL USAG Benelux	USAG Benelux DCO	CDR, USAG-B (COL Nowowiejski)
USAG-Schinnen	DOL Schinnen	CDR USAG-Schinnen (w/ written delegation from CDR Garrison Benelux)	CDR, USAG-B (COL Nowowiejski)

FLIOPL IN 1st AD (as of 6 Sept 06)

	Appointing Authority	Approving Authority	Appeal Authority
2nd BDE	N/A	N/A	ADC-S
1st BN, 6th Infantry	BN CDR	BDE CDR	ADC-S
1st BN, 35th Armor	BN CDR	BDE CDR	ADC-S
40th Engineer BN	BN CDR	BDE CDR	ADC-S

FLIOPL IN USANATO (as of 6 Sep 06)

	Appointing Authority	Approving Authority	Appeal Authority
SHAPE BN	BN CDR	BN CDR	BDE CDR
AFNORTH BN	BN CDR	BN CDR	BDE CDR
AFSOUTH BN	BN CDR	BN CDR	BDE CDR
HHC BDE	DCO	DCO	BDE CDR

Recommended Changes

FLIOPL IN USANATO (as of 6 Sep 06)

	Appointing Authority	Approving Authority	Appeal Authority
SHAPE BN	BN CDR	DCO	BDE CDR
AFNORTH BN	BN CDR	DCO	BDE CDR
AFSOUTH BN	BN CDR	DCO	BDE CDR
HHC BDE	SHAPE BN CDR	DCO	BDE CDR

"Changes from The Way it is"

- 1) Increases oversight of FLIOPL by brigade level staff and Brigade Commander.
- 2) Puts approving authority with the DCO for all subordinate BN/HHC FLIOPL.
- 3) Establishes reporting and oversight procedures for FLIOPL to brigade staff level.

PROS	CONS
1. Added oversight and checks of timeline	1. Less fluff in investigation timelines
2. Allows BDE CDR to view decision/writing skills of officers he senior rates	2. BN CDR objections
3. Retains appeal authority at BDE level	
4. Allows "short survey" recommendation at BN level	
5. Allows BDE staff to advise DCO and BDE CDR	
6. Strongly recommended by G-4 PBO	
7. Conforms generally with majority of USAREUR brigade units	

**May wish to consider delegating approval authority to AFNORTH & AFSOUTH for geographic reasons.*

STG